

IN THE UNITED STATES DISTRICT
COURT FOR THE MIDDLE DISTRICT OF ALABAMA
ALABAMA NORTHERN DIVISION

2006 SEP 26 A 9:16

James McDonald

PLAINTIFF, PRO SE,

VS.

RICHARD ALLEN, BOB RILEY,

SIDNEY WILLIAMS, et.al.,

DEFENDANTS.

* CASE NO. 2:06-cv-284-MHT

MEMORANDUM SUPPORTING

WITNESSES TO WITNESS THIS
42 U.S.C. SEC. 1983 COMPLAINT

James McDonald, the above Plaintiff supporting this

Memorandum of WITNESSES to WITNESS THE COMPLAINT

UNDER PENALTY OF PERJURY that the foregoing is TRUE

AND CORRECT. 28 U.S.C. SEC. 1746 PROVIDES that IN

ALL FEDERAL COURT PROCEEDINGS WRITTEN DECLARATIONS

MADE UNDER PENALTY OF PERJURY ARE PERMISSIBLE IN

LIEU OF NOTARIZED AFFIDAVITS, CARTER VS. CLARK, 616 F.2d
828 (5th Cir. 1980).

Plaintiff James McDonald STATES THAT EASTERLING

CORRECTIONAL FACILITY IS HAZARDOUS and dangerous
to Plaintiffs and Witnesses well being (Health and Safety)

ALL WITNESSES WHO SIGNED THIS COMPLAINT STATES THE FOLLOWING: EASTERLING CORR. FAC. HAS STAPH, (TB), SCABIES, LICE, HEPATITIS (B) AND (C) DISEASES THAT IS REALLY UNKNOWN TO THE PLAINTIFF AND WITNESSES. THE STAPH DISEASE IS AT EPIDEMIC PROPORTIONS IN THIS ENVIRONMENT AND THE WHOLE INMATE POPULATION HAS HAD TO BE VACCINATED FOR HEPATITIS (B) UNKNOWNING TO ITS PRESENCE IN AND AROUND THIS ENVIRONMENT. MEN HAVE SORES AND BOILS TOO NUMEROUS FOR THE OCCASIONAL SPIDER BITES THAT WE ARE TOLD IS THE PROBLEM, SEVER TO CHRONIC INFECTION FOR LONG DURATIONS FROM THIS PLAQUE CONTINUES WITH TOTAL DISREGARD TO HEALTH AND SAFETY. THIS FACILITY IS DANGEROUSLY UNDERSTAFFED BOTH WITH CORRECTION OFFICERS AND MEDICAL STAFF WITH ABOUT $\frac{1}{4}$ TH OF THE MINIMUM REQUIRED LEGAL STANDARD. WE WILL WITNESS THAT THIS WATER SYSTEM IS CONTAMINATED, THE EVIDENCE REFLECTS THAT THE WATER SUPPLIED TO EASTERLING CORR. FAC. IS BEING SUPPLIED BY A GROUND WELL AND ELEVATED STORAGE TANK LOCATED ON STATE PROPERTY WITHIN 300 YARDS OF EASTERLING CORR. FAC. 200 WALLACE DRIVE CLIO, ALABAMA 36017. THE DRINKING WATER AT EASTERLING IS NOT BEING TESTED BY THE ENVIRONMENTAL MANAGEMENT AGENCY, THE WATER HAS A FAUL ODOR AND TASTE, AND IS VERY OILY.

(2.)

THE Doctor attributes to this Numerous Developments of Skin Rashes and SORES, Boils, and is believed to be developed from this Water Condition Compounded by "Defendants overcrowding" which is the SOURCE of ALL DISEASE HERE AT (ECF) THATS Epidemic. THE kitchen workers and Institutional Barbers ARE NOT being properly screened for these diseases before being put to work INSIDE THE Institution THEREFORE Plaintiff's is being deprived of His Constitutional RIGHT TO HEALTH and SAFETY, And Being denied His EQUAL Protection of THE LAW under THE UNITED STATES and STATE of ALABAMA Constitutional RIGHTS, to His 1st, 5th, 8th, 9th, 10th, 12th, 14th Amendment due Process of law. Plaintiff HAS A RIGHT NOT TO BE EXPOSE to dangerous diseases and violent Atmospheres understaffed thats life threatening of epidemics and violent Inmates who RAPE, ASSAULT and HAVE their way in this environment. THE Plaintiff is Suffering under the (8th) Amendment to the Constitution, which PROHIBITS "CRUEL and unusual Punishment", A SAFE and Healthy living environment under these Condition's IS IMPOSSIBLE, THEREFORE EASTERLING COR. FAC. VIA "Defendants overcrowding" is Denying THE Plaintiff's Constitutional RIGHTS

(3.)

WITNESSES HEREBY declare under PENALTY of PERJURY
PURSUANT TO 28 U.S.C § 1746 that this Memorandum
of WITNESS has been MAILED UNITED STATES POSTAL
PREPAID ENVELOPE to CLERK OF THE
U.S. COURT and THE Defendants ATTORNEYS,
DONE this 21 day of September 2006

EXECUTED ON 21 day of September 2006

SIGNED James McDonald
PLAINTIFF PRO SE
200 WALLACE DRIVE
Clio, ALABAMA 36017

U.S. STATES ATTORNEYS
TROY KING
Office of ATTORNEY General
11 S. Union street
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UNITED STATES
DISTRICT COURT
CLERK
P.O. Box 9711
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36101-0711

The Plaintiff is suffering under the (8th) amendment to the constitution, which prohibits "cruel and unusual punishment", "a safe condition at Easterling Correctional Facility is denied". Plaintiff's eighth amendment ban on "cruel and unusual punishment" deliberate in difference and callous indifference or reckless disregard for Plaintiff's safety and this conduct violates Plaintiff's rights.

Signature of all witnesses infra:

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NAME David Walls 239983
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NAME Michael Burns
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NAME Johnny Wilson NAME _____
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